

REMARKS

Claims 1, 7, 8, and 12-17 have been amended.

Claims 2-6, 10, and 11 have been cancelled without prejudice.

Claims 1, 7-9, 12-18 are currently pending in this application.

Claims 1, 7, 8, and 17 are in independent format.

1. Rejections Under 35 U.S.C. § 103(a)

The rejection of Claims 1, 7, and 13-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,713,837 to *Gordon* in view of U.S. Patent No. 5,748,104 to *Argyrodís et al.* is respectfully traversed.

As amended, Claim 1 requires that all communication between the central controller and the remote telemetry units be carried out over a subscriber telephone line. The subscriber telephone line functions as a broadcast communications channel for carrying control messages to the remote telemetry units from the central controller, and as a shared two-way communications channel for carrying reporting messages from the remote telemetry units to the central controller.

The combination of the '837 *Gordon* reference with the '104 *Argyroudís et al.* reference fails to teach or suggest to one of ordinary skill in the art the use of a subscriber telephone line as set forth in amended Claim 1. Accordingly, amended Claim 1 is believed allowable over the cited references, for substantially the same reasons as the allowable subject matter identified in Claims 8 and 9 by the Examiner.

Dependent Claim 2-6 have been cancelled without prejudice, and will not be discussed further.

Dependent Claim 7 have been rewritten in independent form, including all of the limitations of amended Claim 1, discussed above. As amended, Claim 7 requires that all communication between the central controller and the remote telemetry units be carried out over a subscriber telephone line. The subscriber telephone line functions as a broadcast communications channel for carrying control messages to the remote telemetry units from the central controller, and as a shared two-way communications channel for carrying reporting messages from the remote telemetry units to the central controller. Claim 7 further requires that the transceiver associated with each of the remote telemetry units be configured as an extension to the subscriber telephone line.

Accordingly, amended Claim 7 is believed allowable over the cited references, for substantially the same reasons as amended Claim 1 and the allowable subject matter identified in Claims 8 and 9 by the Examiner.

Dependent Claims 10 and 11 have been cancelled without prejudice, and will not be discussed further.

Dependent Claims 13-16 depend either directly or indirectly from amended Claim 1. Dependent claims are non-obvious under 35 U.S.C. § 103 if the independent claims from which they depend are non-obvious. *In re Fine*, 5 USPQ2d 1597, 1600 (Fed. Cir. 1988). Accordingly, dependent Claims 13-16 are believed allowable over the cited references for the same reasons as Claim 1.

The rejection of Claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,713,837 to *Gordon* in view of U.S. Patent No. 5,748,104 to *Argyrodís et al.* is respectfully traversed.

As amended, Claim 17 requires that all communication between the central controller and the remote telemetry units be carried out over a subscriber telephone line. The subscriber telephone line defines a broadcast communications channel for carrying control messages to the remote telemetry units from the central controller, and a shared two-way communications channel for carrying reporting messages from the remote telemetry units to the central controller.

The combination of the '837 *Gordon* reference with the '104 *Argyroudís et al.* reference fails to teach or suggest to one of ordinary skill in the art the use of a subscriber telephone line as set forth in amended Claim 17. Accordingly, amended Claim 17 is believed allowable over the cited references, for substantially the same reasons as amended Claim 1 and the allowable subject matter identified in Claims 8 and 9 by the Examiner.

Dependent Claim 18 depends directly from amended Claim 17. Dependent claims are non-obvious under 35 U.S.C. § 103 if the independent claims from which they depend are non-obvious. *In re Fine*, 5 USPQ2d 1597, 1600 (Fed. Cir. 1988). Accordingly, dependent Claim 18 is believed allowable over the cited references for the same reasons as Claim 17.

The rejection of Claim 12 under 35 U.S.C. § 103(a) as being unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 4,713,837 to *Gordon* in view of U.S. Patent

No. 5,748,104 to *Argyroudis et al*, and further in view of U.S. Patent No. 6,571,093 to *Jarrett Jr.* is respectfully traversed.

Dependent Claim 12, as amended, depends directly from amended Claim 1. Dependent claims are non-obvious under 35 U.S.C. § 103 if the independent claims from which they depend are non-obvious. *In re Fine*, 5 USPQ2d 1597, 1600 (Fed. Cir. 1988). Accordingly, dependent Claim 12 is believed allowable over the cited references for the same reasons as Claim 1. Furthermore, the additional citation of the '093 *Jarrett Jr.* reference fails to render obvious a system configured to use a subscriber telephone line as set forth in the limitations of the claim.

2. Objected Claims

The Examiner has indicated that Claims 8 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 8 has been amended to include the limitations of parent Claims 1 and 7, from which it depends, and is therefore believed allowable.

Claim 9 depends directly from Claim 8, and is therefore seen as allowable in view of the amendments to Claim 8.

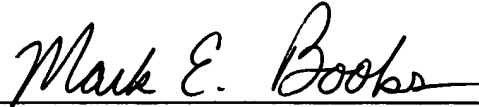
3. Conclusion

Based on the foregoing, the allowance of claims 1, 7-9, and 12-18 is requested.

If for any reason the Examiner is unable to allow the application on the next Office Action and feels that an interview would be helpful to resolve any remaining

issues, the Examiner is respectfully requested to contact the undersigned attorney for the purpose of arranging such an interview.

Respectfully submitted,

A handwritten signature in black ink that reads "Mark E. Books". The signature is written in a cursive style with a horizontal line underneath it.

Mark E. Books, Reg. No. 40,918
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, Missouri 63131
Tel: (314) 238-2400
Fax: (314) 238-2401
mbooks@patpro.com